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THIS ORDER RELATES TO A  
HEARING HELD ON  
JULY 26, 2012

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE:

ADAM DIERS &  
ANA DIERS  
aka Ana Diaz,

Debtors.

Chapter 13  
Case No. 808-70951-AST

ORDER DISMISSING CASE

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UPON the July 2, 2012 written application of Marianne DeRosa, Chapter 13 Trustee, (the "Trustee") seeking entry of an Order dismissing the instant Chapter 13 case pursuant to 11 U.S.C. §1307(c) and due notice of the aforesaid application having been given to all necessary parties; and

WHEREAS, on July 26, 2012, the Trustee appeared in support thereof and no one appeared on behalf of the Debtors; and

WHEREAS, as a direct result of the amended proof of claim filed by M&T Bank filed on May 30, 2012 and docketed as claim number 4-2, the Debtors' confirmed Chapter 13 Plan is no longer feasible; and

WHEREAS, each of the foregoing constitutes cause for dismissal of a Chapter 13 case; it is accordingly

ORDERED, that the instant Chapter 13 case be dismissed pursuant to 11 U.S.C. §1307(c) of the Bankruptcy Code.



**Dated: August 16, 2012**  
**Central Islip, New York**

  
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**Alan S. Trust**  
**United States Bankruptcy Judge**